IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.973/06

Sanjida Begum Maqsood Khan .... Applicant

V/s.

The State of Maharashtra .... Respondent

Shri.Gajendra Jadhav Adv. for the applicant.
Miss.M.H. Mahatre APP for the State.
Miss.Manisha Dabhade Adv. for respondent.

CORAM : V.M. KANADE, J.

DATED : 13/04/06

P.C.:-

1. Heard the learned counsel for the applicant, the learned APP for the State and learned counsel for respondent.

2. This is an application for cancellation of bail which was granted by Additional Chief Metropolitan Magistrate. It is submitted that no reason has been recorded while releasing respondent on bail. Learned Counsel relied upon the decision in the case of **Puran V.Rambilas AIR 2001 SC 2023**.

3. Respondent was arrested for the offence punishable U/s.498(A), 406 r/w 34 of IPC. I have perused impugned order passed by Ld.Magistrate. There is no appropriate reason given by Ld.Magistrate while releasing respondent on bail. However, Ld.Magistrate has observed that he has read application and say of the Public Prosecutor and heard both the sides and hereinafter passed the order. Application discloses that applicant was arrested on 13/02/2006 and he was in police custody for nine days. Applicant states that police had sufficient time for interrogation and therefore, no purpose would be served in keeping applicant in jail. It is stated in the application that both the applicants are permanent resident of Mumbai. Accd.No.1 is employee in a Bank, working as a Cashier and accd.No.2 is a lady senior citizen. Ld. Magistrate has directed that accused should report police station on every Tuesday and Friday at 11.00 to a.m. to 12.00 p.m. until further orders and they should not tamper with the evidence.

4. Considering facts and circumstances of the case, this is not a fit case for cancellation of bail. Application for cancellation of bail is

rejected. However, it is clarified that respondents shall not tamper with the evidence or threaten the witnesses. Respondents shall not enter the jurisdiction of Govandi Police Station without permission of the Court.

5. With these directions, the application is accordingly disposed of.

V.M. KANADE J.